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Command= 210-Point#, Start#-End# or G#= 1-767Distance Elev Descrip Pnt. Northing Easting Type ----02-13-2025----15:33:14---------D:...\BMHOME17 5000.0000 5000.0000 1 2 5010.9155 4950.8987 TRA 3 5012.7948 4942.4450 TRA 4 5024.0575 4891.7818 TRA 5 5122.0003 4911.9608 TRA 6 5108.5198 4972.6005 TRA 7 5106.3541 4982.3427 SS 8 5097.6043 5021.7018 TRA 9 5065.0834 4954.0917 TRA 10 5061.0352 4972.2663 TRA 11 5086.7540 5070.5103 TRA 12 5065.3006 5167.0145 TRA 13 4967.4273 5146.5008 TRA 14 4989.1496 5048.8085 TRA 15 5080.9212 5170.2885 TRA 5162.6163 16 5190.0044 TRA 17 5219.9410 4932.1394 INT 18 5114.0075 5178.2921 TRA 5199.1401 19 5200.5312 TRA 20 5394.9667 5245.9894 TRA 21 5433.8537 5255.3593 TRA 22 5458.2044 4981.2284 INT 23 5258.1374 4940.0089 INT 24 5497.4007 4989.3040 INT 25 5546.3917 4999.3975 TRA 26 5457.5498 5156.1499 TRA 5480.7811 27 5058.8858 TRA 28 5529.4064 5070.5298 TRA 29 5546.3960 4999.3984 INT 30 5482.4626 5267.0716 TRA 5506.1749 5167.7939 31 INT 32 5441.9262 5049.3814 TRA 33 5430.3105 5098.0134 TRA 34 5074.9235 5333.0127 TRA 35 5344.6284 5026.2915 TRA 36 5393.2773 5037.8364 TRA 37 5409.2091 4971.1340 INT 38 5418.6948 5146.6455 TRA 39 5370.0459 5135.1005 TRA 40 5346.3578 5234.2771 INT 9.39 5106.3541 4982.3427 50 1capj&b TRA 9.76 2setspk 51 4995.4631 4984.3980 TRA 52 5065.4105 5166.7214 fndip SS 53 5097.6485 5021.7219 fndip SS 54 5108.1231 4972.7952 SS fndip 4911.9657 fndip 55 5122.0681 SS

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		156	5076.7575		
		157	5076.7461	4975.7832	INT
		160	5104.4924	4990.7172	INT
		161	5104.5100	4990.6845	INT
	SETPK	200		5037.7241	
	SETSPK			5138.0932	TRA
	IPINERNI			5070.4946	SS
	IPCRMPD		5135.8182	5082.0198	SS
	FNDIP	204		5092.1874	SS
	FNDIP*	205	4991.0722	5049.2115	SS
	FNDIPIN			4942.5145	SS
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	FNDIP*	208	4962.0828	4991.5003	SS
	FNDIP*	209	4902.4655	5029.5277	SS
	IPINPSA	210	4853.5148	5018.5512	SS
	FNDIP*		4929.5022	5138.4875	SS
	CORHSE		4924.4359	5125.2046	SS
	CORHSE		4935.2077	5078.1017	SS
				5084.4061	
	POLE	214	4947.2604		SS
	ANCHOR			5093.9796	SS
	POLE	216		5130.7402	SS
	POLE		4948.8213	5071.8773	SS
	CORDECK	218	4932.5740	5067.2584	SS
	CORDECK	219	4931.0901	5062.5269	SS
		220	4934.3545	5048.3028	SS
		221	4912.2698	5043.2743	SS
	CORHSE	222	4909.3858	5072.2270	SS
	CORHSE		4935.1879	5078.1358	SS
	CORHSE		4924.4207	5125.1590	SS
	CORSTPS		4911.9297	5131.4341	SS
	CORSTPS		4907.5436	5130.4768	SS
	CORHSE		4898.5540	5119.4529	SS
	CORDECK		4891.5345	5117.3517	SS
	FNDRRSPK		4880.3371	5128.1449	SS
	FNDIP&SP	230		5117.9968	SS
	FNDIP	231	5065.3958	5166.6293	SS
	CORWLL	232	5016.0099	5156.3526	SS
	CORWLL	233	4967.8839	5145.4280	SS
	CALCOR	250	5065.3162	5166.9862	TRA
	CALCOR	251	4929.4648	5138.4796	TRA
	252	252	4880.5247	5128.2393	TRA
	253	253	4951.2177	5040.3416	TRA
	254	254	4951.2784	5040.3550	
	234				TRA
		260	4880.5282	5128.2228	TRA
		261	4902.4720	5029.5125	TRA
	1sethub	300	5432.5865	5253.7936	
	2sethub	301	5449.6313	5049.9349	TRA
	3sethub	302	5361.6383	5040.9555	TRA
	4sethub	303	5352.0599	4919.0914	TRA
	fndrrspk	304	4880.2899	5128.1853	SS
	fndpk	305	4936.7868	5140.5413	SS
	fndip	306	5346.1366	5234.0310	SS
	fndpknew	307	5482.6455	5266.4736	SS
	pole	308		5243.9795	SS
	-		5402.9070	547.3137 577.2100	
	corhse	309	5395.7533	5237.3182	SS
	corhse	310	5406.0006	5194.7972	SS
	pole	311	5416.8714	5182.6281	SS
	flagpole	312	5350.0860	5234.4407	SS

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403 5731.5982 5037.5553 INT	
404 5860.6395 5358.1936 TRA	
405 5860.9215 5358.2615 TRA	
406 5901.1049 5369.4431 INT	
407 6093.7843 5423.0590 TRA	
408 6166.5034 5159.6525 TRA	
409 6082.1786 5134.7677 TRA	
410 5784.8534 5048.5274 INT	
411 5784.8693 5048.5307 TRA	
412 5970.8005 5102.4615 INT	
413 5930.4534 5090.7587 INT	
414 6132.3202 5433.7821 TRA	
415 5886.4032 5259.5010 TRA	
416 5689.9675 5211.8528 TRA	
417 5714.8130 5323.0566 TRA	

530

531

532

533

EDGDR

EDGDR

FNDIP*

4PK

5850.6132

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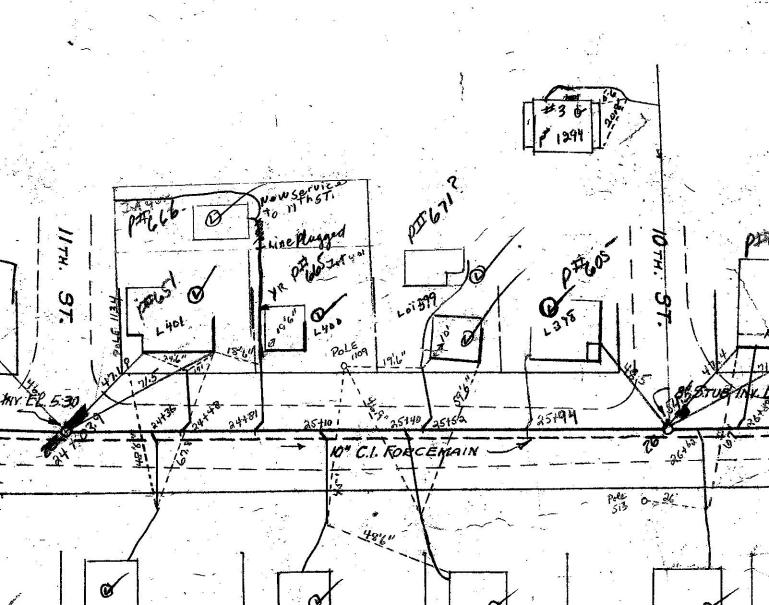
7.75

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8.30

JOB #9 767 ANA	STASI [7	67]					
Bearing D	istance	Elev	Descrip	Pnt.	Northing	Easting	Type
		02-13-	-2025	-15:33:	: 14	D:'	\BMHOME17
		8.56	CORUNIT	534	5857.8666	5145.1380	SS
		8.24	CORUNIT	535	5860.3010	5134.8840	SS
		8.39	EDGCRFNC	536	5862.4260	5135.3715	SS
		8.12	EDGCRFNC	537	5865.0912	5124.2292	SS
		7.82	CORTRIM	538	5864.0714	5119.1317	SS
			CORTRIM	539	5870.4553	5091.3477	SS
		8.62	REFPIP*	540	5875.3069	5104.1806	SS
		7.68	SMH	541	5959.3156	5071.1857	SS
		7.45	FNDIP*	542	5829.0026	5061.3015	SS
				543	5810.5560	5138.1776	TRA
				544	5810.4710	5138.1572	INT
				545	5828.9281	5061.2798	INT
				546	5828.9347	5061.2946	TRA

Point#, Start#-End# or G#= 1-7674-Command= 4-



NHDOT Geodetic Control Datasheet

View the Geodetic Control Layer on GRANITView II http://granitviewii.unh.edu

Designation:	197-0420			NGS PID#:	
Town/Sequence:	197-0420	Location:	HAMPTON	County:	ROCKINGHAM, NH
Coord Source:	NHDOT	Northing (USft):	159514.12	Latitude:	42°56' 3.8"
Horiz Order:	75	Easting (USft):	1217212.13	Longitude:	70°47'48.3"
Datum/Year:	83	Mapping Angle:		Scale Factor:	
Superceded coordinates, NAD83/86		Northing (USft):		Easting (USft):	
NGVD29 Elevation (ft):	14.44	Vertical Order	21	Elevation Type	DIFF
NAVD88 Elevation (ft):	13.65		Note: NAVD88 values are lower than NGVD29 values		
Last Recovery:	02/20/2013		Recovered By:	DOUCET SURVEY	
Condition:	Good		GPSable?:	Υ	
Monumented By:	NHDOT		Year Set:	1990	
Marker Type:	Bench Mark/Ve	ertical Control Disk	Stamping:	197 0420	
Monumentation:	CONCRETE V	VAI KWAY			

THE STATION IS LOCATED IN HAMPTON.

TO REACH THE STATION FROM THE JUNCTION OF STATE ROUTE 1-A (OCEAN BOULEVARD) AND STATE ROUTE 27 (HIGH STREET) IN HAMPTON, FOR 0.5 MI ON ROUTE 1-A TO THE STATION ON THE LEFT.

THE STATION IS A STANDARD NHDOT DISK STAMPED--197 0420--, SET INTO THE CONCRETE WALKWAY AT THE ENTRANCE TO THE BEACH ALON SEAWALL ACROSS FROM TENTH STREET. LOCATED 53.0 FT SOUTH-SOUTHEAST FROM THE CENTER OF ROUTE 1-A, 41.0 FT EAST FROM THE 1 (WHITE LINE) OF ROUTE 1-A, 8.3 WEST FROM THE WEST FACE OF THE CONCRETE WALL FOR THE STAIRWAY, 4.3 FT NORTH FROM THE NORTH THE END WALL, 5.2 FT SOUTHEAST FROM A SIGN "EMERGENCY INFORMATION".

DISK RECOVERED IN GOOD CONDITION BY NHDOT ON 2/20/2013

Coordinate and elevation values are expressed in US Survey Feet Geodetic (True) Azimuth = Grid Azimuth + Mapping Angle 11/16/2016 1 meter = 3.280833333 survey feet Central Meridian in NH = 71 deg 40 min

Please email updates and recovery notes to BEasler@dot.state.nh.us

1 of 1 11/16/2016 10:23 AM

111 KINGS HWY

Location 111 KINGS HWY **Mblu** 197/ 18/ / 1/

Acct# 4699 Owner DALLY KINGS REALTY TRUST

Assessment \$357,400 **Appraisal** \$357,400

> **PID** 4699 **Building Count** 2

Current Value

Appraisal						
Valuation Year	Improvements	Land	Total			
2016	\$147,400	\$210,000	\$357,400			
Assessment						
Valuation Year	Improvements	Land	Total			
2016	\$147,400	\$210,000	\$357,400			

Owner of Record

DALLY KINGS REALTY TRUST Sale Price

Co-Owner DALLY, DVAID A & ELIZABETH A, TTEES Certificate

Address 78 MAYALL RD **Book & Page** 5701/1444 WALTHAM, MA 02453

Sale Date 03/16/2016

> Instrument 38

\$0

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DALLY KINGS REALTY TRUST	\$0		5701/1444	38	03/16/2016
DALLY, DAVID A & ELIZABETH A	\$130,000		3395/0051	00	05/28/1999
ROCHUSSEN, ARTHUR & LORRAINE	\$0		2259/0439		06/16/1976

Building Information

12/27/2016 12:07 PM 1 of 4

Building 1: Section 1

Year Built: 1955 Living Area: 480 Replacement Cost: \$103,487 Building Percent 80

Good:

Replacement Cost

Less Depreciation: \$82,800

Building Attributes				
Field	Description			
Style	Conventional			
Model	Residential			
Grade:	Average			
Stories:	1 1/4 Stories			
Occupancy	1			
Exterior Wall 1	Aluminum Sidng			
Exterior Wall 2				
Roof Structure:	Gable/Hip			
Roof Cover	Asph/F Gls/Cmp			
Interior Wall 1	Plywood Panel			
Interior Wall 2				
Interior Flr 1	Carpet			
Interior Flr 2	Inlaid Sht Gds			
Heat Fuel	Gas			
Heat Type:	Floor/Wall Htr			
AC Type:	None			
Total Bedrooms:	3 Bedrooms			
Total Bthrms:	1			
Total Half Baths:	0			
Total Xtra Fixtrs:	1			
Total Rooms:	5			
Bath Style:	Out-Dated			
Kitchen Style:	Out-Dated			
МНР				

Building Photo



 $$$ (http://images.vgsi.com/photos2/HamptonNHPhotos//\00\00 \47/18.jpg)$

Building Layout



	Building Sub-Areas (sq ft)		<u>Legend</u>
Code	Description	Gross Living Area Area	
BAS	First Floor	480	480
CRL	Crawl Space	480	0
EAU	Attic, Expansion, Unfinished	480	0
UEP	Porch, Enclosed, Unfinished	176	0
WDK	Deck, Wood	96	0
		1,712	480

2 of 4 12/27/2016 12:07 PM

Building 2: Section 1

Year Built: 1945 Living Area: 750 Replacement Cost: \$86,167 Building Percent 75

Good:

Replacement Cost

Less Depreciation: \$64,600

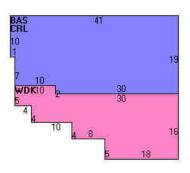
Building Attributes: Bldg 2 of 2				
Field	Description			
Style	Ranch			
Model	Residential			
Grade:	Average			
Stories:	1 Story			
Occupancy	1			
Exterior Wall 1	Pre-Fab Wood			
Exterior Wall 2				
Roof Structure:	Gable/Hip			
Roof Cover	Asph/F Gls/Cmp			
Interior Wall 1	Plywood Panel			
Interior Wall 2				
Interior Flr 1	Carpet			
Interior Flr 2	Inlaid Sht Gds			
Heat Fuel	Electric			
Heat Type:	Electr Basebrd			
AC Type:	None			
Total Bedrooms:	1 Bedroom			
Total Bthrms:	1			
Total Half Baths:	0			
Total Xtra Fixtrs:				
Total Rooms:	4 Rooms			
Bath Style:	Out-Dated			
Kitchen Style:	Out-Dated			
МНР				

Building Photo



(http://images.vgsi.com/photos2/HamptonNHPhotos//\00\00 $\47/26.jpg$)

Building Layout



I	<u>Legend</u>		
Code	Description	Gross Area	Living Area
BAS	First Floor	750	750
CRL	Crawl Space	750	0
WDK	Deck, Wood	478	0
		1,978	750

Extra Features

Extra Features	<u>Legend</u>
No Data for Extra Features	
NO Data for Extra reatures	

3 of 4 12/27/2016 12:07 PM

Land

Land Use Land Line Valuation 0.09 **Use Code** 1090 Size (Acres) MULTI HSES MDL-01 0 Description Frontage Zone Depth 0 Neighborhood 60 Assessed Value \$210,000 Alt Land Appr No Appraised Value \$210,000 Category

Outbuildings

Legend
;
5

Valuation History

Appraisal				
Valuation Year	Improvements	Land	Total	
2016	\$147,400	\$210,000	\$357,400	
2015	\$116,100	\$162,300	\$278,400	
2014	\$116,100	\$162,300	\$278,400	

Assessment			
Valuation Year	Improvements	Land	Total
2016	\$147,400	\$210,000	\$357,400
2015	\$116,100	\$162,300	\$278,400
2014	\$116,100	\$162,300	\$278,400

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4 of 4

BK2534 P1501

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS that, The Town of Hampton, a municipal corporation organized under the laws of the State of New Hampshire and located in Rockingham County, for consideration paid, grants to Arthur W. Rochussen and Lorraine L. Rochussen, both of 15 Elliott Street, Nashua, County of Hillsborough and State of New Hampshire, as joint tenants with right of survivorship and not as tenants in common with QUITCLAIM COVENANTS;

The following described parcel of land located in said Town of Hampton, and said County of Rockingham, known as Lot Number 400, Block 11 on Plan of Plantation Lots dated July, 1978 by John W. Durgin, Associates Inc. recorded at Rockingham County Registry of Deeds (Ref: C-8314), being also shown on said Town's Tax Assessor's records as Map 124, Lot Number 400 and more particularly described as follows:

Beginning at a point at the Northwesterly corner of Lot 399 on the Easterly side of Kings Highway; thence proceeding N 16° 10' 50" E by and along said Kings Highway a distance of 50.05' to a point at the corner of the conveyed premises and Lot 401 as shown on said plans; thence proceeding S 76° 34' 00" E along said Lot 401 a distance of 76.85' to a point at the corner of the conveyed premises, and said Lot 401 and the Westerly sideline of Lot 402 on said plan; thence proceeding S 13° 38' 00" W along said Lot 402 a distance of 50.00' to a point at the corner of the conveyed premises and said Lot 402 and Lot 399; thence proceeding N 76° 34' 00" W along said Lot 399 a distance of 79.07' to the point begun at.

Meaning and intending to convey the same premises as shown on said plan and as described in a certain lease from Grantor to Grantees dated June 14, 1976.

Subject, in perpetuity, to the following covenants and restrictions:

1. The Grantees agree that the premises shall be subject to the more restrictive of the terms of this deed or the applicable provisions of the Ordinances, laws, and regulations of the Town of Hampton.

Rockingham County Registry of Dead

BK2534 P1502

- 7. The Grantees agree that no trade or occupation shall be conducted, or suffered to be conducted, on the conveyed premises or use made thereof which would be unlawful, improper, noisy or offensive, or contrary to any law or ordinance in force in the Town of Hampton.
- 3. No fences may be erected upon said premises other than ornamental fences of no more than a three-foot height.
- 4. The only structures permitted to be erected or placed upon said lot shall be one single-family dwelling, containing no more than four bedrooms, with no more than a two-car garage. The Grantee will not erect any buildings upon the premises within seven (7) feet of any boundary line, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot.
- 5. Subject, further, to the right of the Town of Hampton to maintain easements or rights-of-way above, across and/or under the premises, and to the right of the Town of Hampton to enter upon and use a strip of land of sufficient width for the installation and maintenance of storm and sanitary sewer mains.
- 6. This conveyance is subject to the rights, if any, of the Exeter & Hampton Electric Company, a corporation duly established by law with its principal place of business in Exeter, in said County of Rockingham, to maintain poles, wires, crossarms, supporting fixtures and appurtenances on, over or across the subject premises as set forth in a certain agreement between said Town of Hampton and said Exeter & Hampton Electric Company dated May 10, 1946, and recorded in Hampton Town Records, and is subject to all other existing easements or easements of record.
- 7. The conveyed premises shall be subject to all properly assessed taxes, municipal and otherwise. The Grantees, their heirs, administrators, successors, assigns, and legal representatives shall, likewise, be obligated to pay all assessments, betterments, sewer-use fees and all other lawfully assessed fees levied upon the conveyed premises.

The Grantor further reserves the perpetual right to pass and repass over the subject parcel in order to maintain, repair, and replace all pipes, wires, posts, and other items and equipment, relating to utilities services furnished, owned or supervised by the Grantor. The Grantor shall, at all times, exercise its said rights in a reasonable manner. At its own expense, the Grantor shall return the subject premises to the same condition as they were in prior to the Grantor's exercise of its rights under this reservation.

In addition, the Town of Hampton specifically reserves from the above conveyance any public rights of way on or under any existing sidewalks, rights of way, highways, sewer lines and basins, utility easements, water lines, drainage easements and/or pipes and any other public improvements together with the right to improve, maintain and expand as reasonably required the above said betterments, easements, public rights of way consistent with the overall needs of the Town of Hampton, now and in the future.

All restrictions and reservations herein are binding on the Grantees, their heirs, administrators, successors, assigns, and legal representatives.

Grantee shall be responsible for all real estate taxes for the property conveyed herein as of and after the date of this deed.

IN WITNESS WHEREOF, the said Town of Hampton, on this 2578 day of 1984 has caused this deed to be duly executed by its Selectmen, thereunto duly authorized by vote of said Town of Hampton dated May 11, 1982.

	all I for to
Witness	Ashton J. Norton, Selectman
To The Sale Imby	Robert V. Lessard, Selectman
Witness Hing G Richards	John R. Walker, Selectman
Witness	William J. Massey Selectman
Witness	Glyn P. Eastman, Selectman

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That We, Arthur W. Rochussen and Lorraine L. Rochussen, Husband and Wife of 15 Elliott Street, Nashua, County of Hillsborough, State of New Hampshire, for consideration paid, grant to David A. Dally and Elizabeth A. Dally, husband and wife, and Paul L. Anastasi and Annie M. Hardiman of 78 Maxall Road, Waltham, County of Middlesex, Commonwealth of Massachusetts, as joint tenants with rights of survivorship, with warranty covenants, the following described premises:

A certain tract of land with the buildings thereon situate in Hampton, in the County of Rockingham and State of New Hampshire, known as Lot Number 400, Block 11 on Plan of Plantation Lots dated July, 1978 by John W. Durgin Associates, Inc., recorded at Rockingham County Registry of Deeds (Ref: C-8314), being also shown on said Town's Tax Assessor's records as Map 124, Lot Number 400 and more particularly described as follows:

Beginning at a point at the Northwesterly corner of Lot 399 on the Easterly side of Kings Highway; thence proceeding N 16° 10′ 50″ E by and along said Kings Highway a distance of 50.05′ to a point at the corner of the conveyed premises and Lot 401 as shown on said plans; thence proceeding S 76° 34′ 00″ E along said Lot 401 a distance of 76.85′ to a point at the corner of the conveyed premises, and said Lot 401 and the Westerly sideline of Lot 402 on said plan; thence proceeding S 13° 38′ 00″ W along said Lot 402 a distance of 50.00′ to a point at the corner of the conveyed premises and said Lot 402 and Lot 399; thence proceeding N 76° 34′ 00″ W along said Lot 399 a distance of 79.07′ to the point begun at.

Subject, in perpetuity, to the same covenants and restrictions as shown in the deed from The Town of Hampton to these Grantors dated February 25, 1985 and recorded in the Rockingham County Registry of Deeds in Book 2534, Page 1501.

Meaning and intending to describe and convey the same premises conveyed to the Grantors by deed of Donald E. Desmarais and Patricia A. Desmarais dated June 14, 1976 and recorded in the Rockingham County Registry of Deeds at Book 2259, Page 439, and deed of The Town of Hampton dated February 25, 1985, recorded in the Rockingham County Registry of Deeds at Book 2534, Page 1501.

This is not homestead property.

Signed this 2 day of May, 1999.

Witness /

Witness

Arthur W. Rochusten

Lorraine W. Rochussen

STATE OF NEW HAMPSHIRE COUNTY OF ROCKINGHAM, ss:

May 28, 1999

Personally appeared Arthur L. Rochussen and Lorraine W. Rochussen, known to me, or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged they executed the same for the purposes therein contained.

Before me,

Justice of the Peace/Notary Public

DEPARTMENT OF NEW HAMPSHIRE REVENUE ADMINISTRATION

THOUSAND HUNDRED AND XX DOLLARS

MO: DAY YR 377961 \$1300.00

AVOID IF ALFERED





ROCKINGHAM COUNTY REGISTRY OF DEEDS

CORRECTIVE WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That we, David A. Dally and Elizabeth A. Dally, husband and wife, both of 78 Mayall Road, Waltham, Massachusetts 02453, and Paul L. Anastasi and Anne M. Hardiman, sometimes also known as Annie M. Hardiman, both of 44 Summer Street, Watertown, Massachusetts 02472, for consideration paid, grant to David A. Dally and Elizabeth A. Dally, husband and wife, both of 78 Mayall Road, Waltham, Massachusetts 02453, as joint tenants with rights of survivorship as between them, a 50% share, as tenants in common with Paul L. Anastasi and Anne M. Hardiman, both of 44 Summer Street, Watertown, Massachusetts 02472, as joint tenants with rights of survivorship as between them, a 50% share, with warranty covenants, the following described premises:

A certain tract of land with the buildings thereon situate at 109 &111 Kings Highway in Hampton, in the County of Rockingham and State of New Hampshire, known as Lot Number 400, Block 11 on Plan of Plantation Lots dated July, 1978 by John W. Durgin Associates, Inc., recorded at Rockingham County Registry of Deeds (Ref: C-8314), being also shown on said Town's Tax Assessor's records as Map 124, Lot Number 400 and more particularly described as follows:

Beginning at a point at the Northwesterly corner of Lot 399 on the Easterly side of Kings Highway; thence proceeding N 16°10′ 50″ E by and along said Kings Highway as distance of 50.05′ to a point at the corner of the conveyed premises and Lot 401 as shown on said plans; thence proceeding S 76°34′ 00″ E along said Lot 401 a distance of 76.85′ to a point at the corner of the conveyed premises, and said Lot 401 and the Westerly sideline of Lot 402 on said plan; thence proceeding S 13°38′ 00″W along said Lot 402 a distance of 50.00′ to a point at the corner of the conveyed premises and said Lot 402 and Lot 399; thence proceeding N 76°34′ 00″ W along said Lot 399 a distance of 79.07′ to the point begun at.

Subject in perpetuity, to the same covenants and restrictions as shown in the deed from the Town of Hampton to Arthur W. Rochussen and Lorraine L. Rochussen, dated February 25, 1985 and recorded in the Rockingham County Registry of Deeds in Book 2534, Page 1501.

Meaning and intending to describe and convey the same premises conveyed to the Grantors by deed of Arthur W. Rochussen and Lorraine L. Rochussen recorded with the Rockingham County Registry of Deeds in Book 3395, Page 0051.

There is no consideration for this Corrective Warranty Deed, the sole purpose of which is to confirm and correct the manner in which title to the within described premises is being held by the present owners thereof, and no documentary stamps are required to be affixed hereto.

This is not a homestead property.

Signed this 29 day of Mag

, 2002.

Witness

Ann 7. Wallas

Witness

Musika Wjujess

Witness

David A. Dally

Elizabeth A. Dally

Paul L. Anastasi

anne M. Hardinan sometimes

Anne M. Hardiman, sometimes also known as Annie M. Hardiman

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

,2002

Then personally appeared the above-named David A. Dally and Elizabeth A. Dally and acknowledged their execution of the foregoing instrument to be their free act and deed, before me

Notary Public:

My Commission Expires

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Then personally appeared the above-named Paul L. Anastasi and Anne M. Hardiman, sometimes also known as Annie M. Hardiman, and acknowledged their execution of the foregoing instrument to be their free act and deed, before me

Notary Public:

My Commission Expires:

10 H STREET

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FILE No. 2092 PLAN No. 4581-1

78 DEC -8 AII:17

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BOOLEVARD
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U O PLAN OF IMPROVEMENTS

PLAN 1 ATION LOTS

BLOCKS 11 AND 12

JOHN W. DURGIN ASSOCIATES INC. Engineers, Surveyors & Designers Portsmouth and Rochester Sheet & OF & Sheets

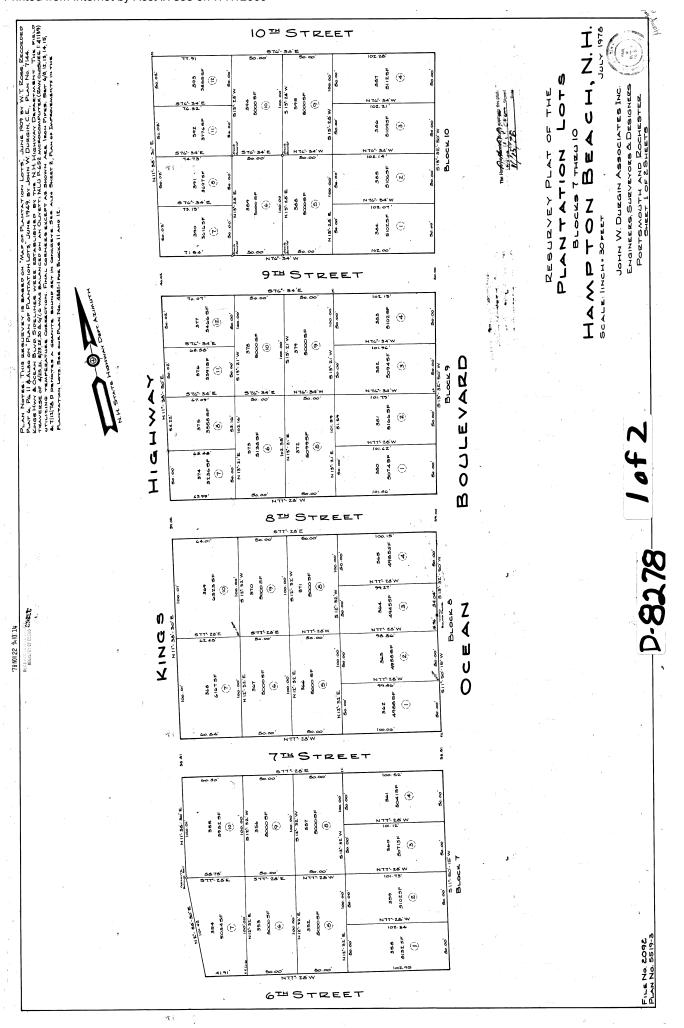
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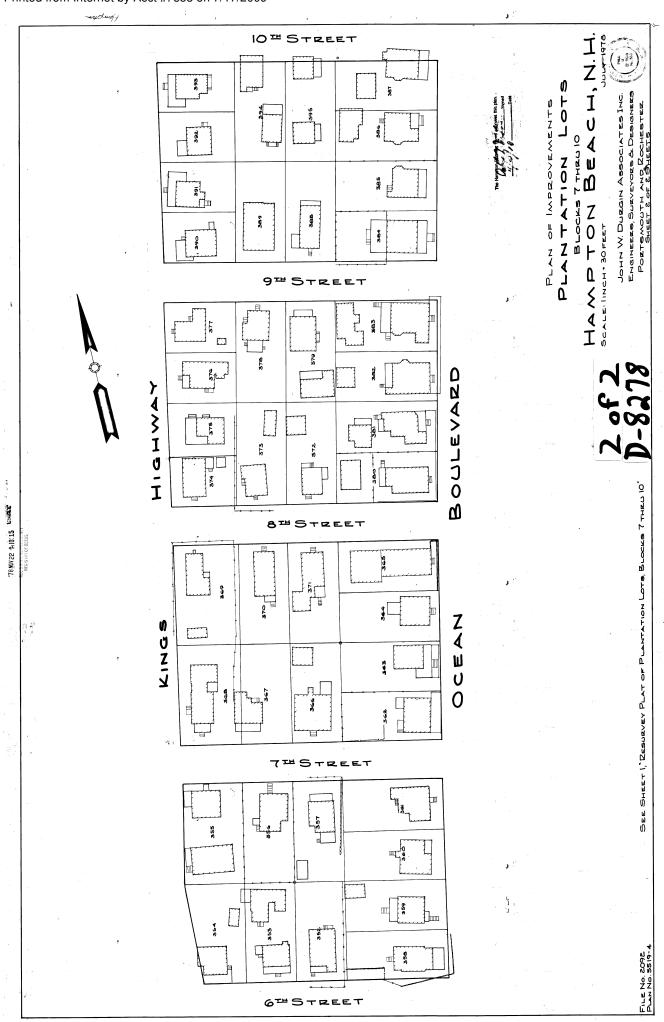
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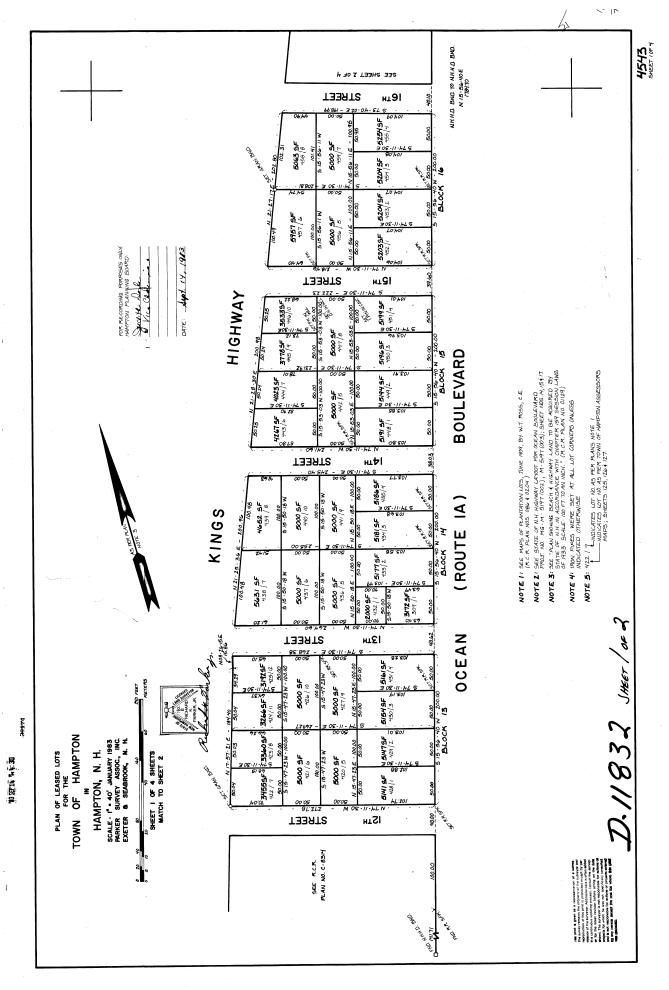
SEE SHEET! RESURVEY PLAT OF PLANTATION LOTS, BLOCKS 11 AND 12.

TILE No. 2092

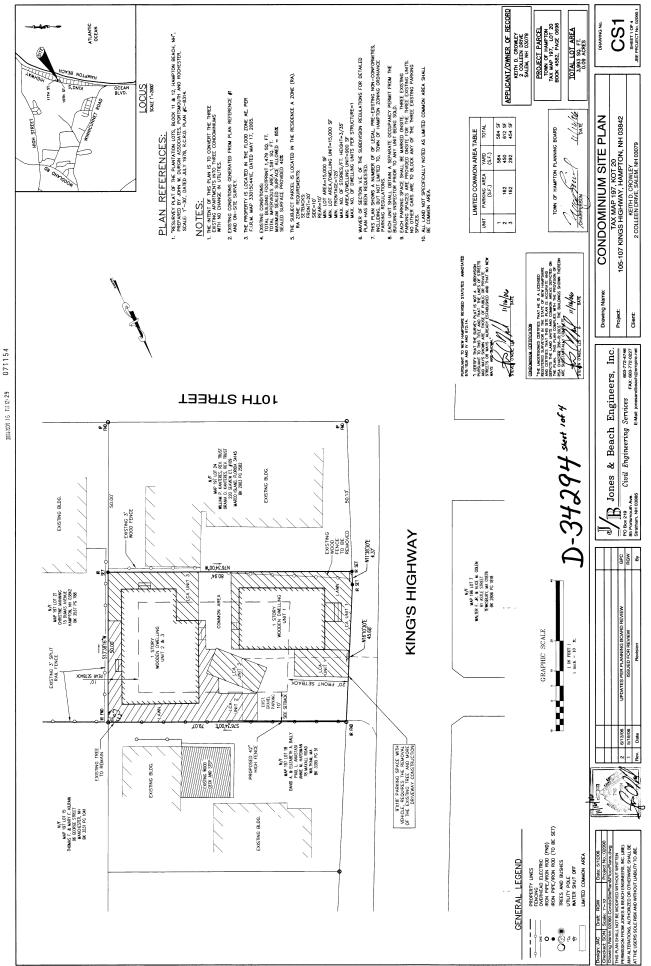
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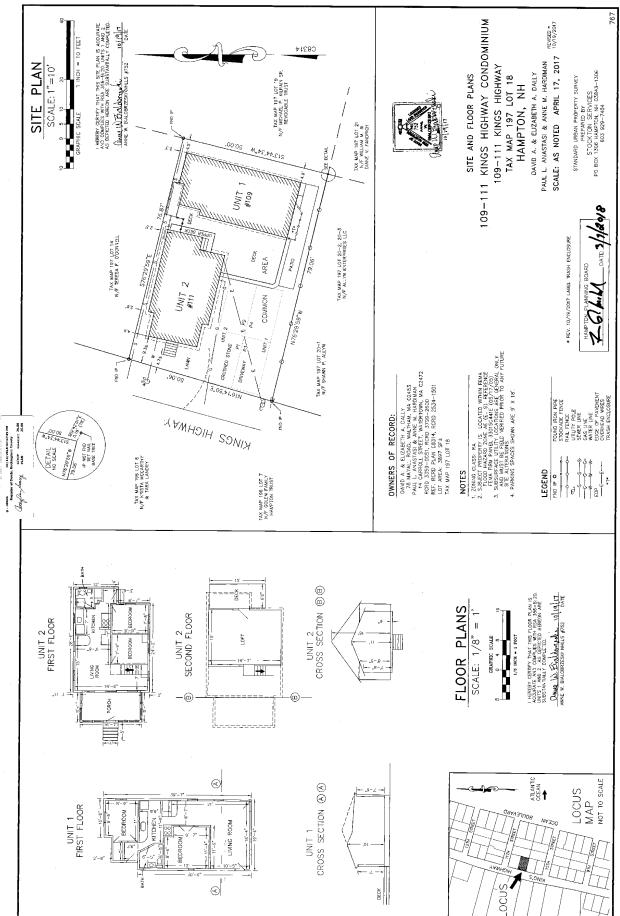






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D-40696



Town of Hampton LEGAL DEPARTMENT 100 Winnacunnet Road Hampton, New Hampshire 03842

Mark S. Gearreald, Esq. Town Attorney

Tel: 603-929-5816 Fax: 603-929-5817 mgearreald@town.hampton.nh.us

October 31, 2017

Peter J. Saari, Esq. Casassa Law Office 459 Lafayette Road Hampton, NH 03842-2242

Re: 109-111 Kings Highway

Dear Peter:

In response to my bringing to your attention the deed restriction issues pertaining to 109-111 Kings Highway, both orally and in writing, I thought we were going to make progress on getting the conditional planning Board approval of this 2 Unit condominium to the point of final approval as a result of your filing a letter with the Board of Selectmen seeking release of deed restrictions under the RSA 41:14-a process. This property was scheduled to be considered under the RSA 41:14-a process by the Planning Board at its next meeting on November 1, 2017.

However, the e-mail to Town Planner Jason Bachand dated October 27, 2017 from Anne Bialobrzeski seems to indicate otherwise. According to that e-mail (copy attached), it appears that the property owner may not now wish to go forward with the RSA 41:14-a process and instead, through Tocky, is insisting on having the condominium plan and documents recorded. This withdrawal was confirmed by your letter received today.

The purpose of flagging the presence of Town owned deed restrictions on the applications of both the Planning Board and the Building Department is to ensure that no approval will occur of any proposal that would violate Town owned deed restrictions. As I have explained to you in my e-mail of October 17, 2017, in this particular case, a misrepresentation was made on the Planning Board application for condominium conversion in that the box was checked indicating that this property was <u>not</u> formerly leased land, when in fact it is, implicating at least two deed restrictions.

Moreover, as my e-mail to you of October 17, 2017 explained, the violation of deed restrictions by a condominiumization can lead to title problems such as occurred with another neighboring property in this area of Hampton (751 Ocean Boulevard and 4 Third Street) when an already approved condominium unit was sought to be sold and the title company flagged the violation. A year's time was lost on selling one of the units before the Selectmen could proceed through the RSA 41:14-a process under their new authorization to remove the particular deed restriction there involved.

As you are aware, my approval of the condominium documents is necessary as one condition of the Planning Board's conditional approval of their development. Please be advised that if the current owners of the parcel in question are not going to proceed with the release process before the Planning Board, Conservation Commission and Board of Selectmen under RSA 41:14-a, then I will not be approving these condominium documents and instead will send this project back to the Planning Board, so noting.

Tocky's October 27, 2017 e-mail brings up yet another point of concern under the Town owned deed restrictions pertaining to this property in that she states that the owner has "planned improvements." If those improvements include expanding the area of setback occupation, which is already within 7 feet of the nearest sidelines on two sides of either building, then we are going to need the application for the RSA 41:14-a process to include partial release of the 7 foot setback that is contained in the deed restrictions. Variances may also be needed.

In light of all the above; perhaps your client would like to reconsider the withdrawal and instead proceed forward with the RSA 41:14-a process as already initiated.

Sincerely,

Mark S. Gearreald

Hampton Town Attorney

Mark S. Gearrald

cc: Town Manager, Frederick Welch Planning Board Conservation Commission Board of Selectmen

Jason Bachand

From: Stockton Services <stockton752@gmail.com>

To: <jbachand@town.hampton.nh.us> , Peter J. Saari Esq <psaari@casassalegal.com> ,

Paul Anastasi <panastasi10@gmail.com>

Cc:

Date: 10/27/17 2:22 PM

Subject: 109-111 Kings Highway

Jason,

I would like to send this email as documentation that I delivered the mylar for 109-111 Kings Highway to you a short time ago. The trash storage area has been labelled as required in your memo.

I also inquired as to why this property is on the agenda for the next Planning Board meeting. It appears that Peter Saari applied for the RSA 41:14-a before the property owner informed him that he did not wish to go forward with that process. Peter was so advised on Oct. 17 but no one from his office notified you to withdraw the request.

I think I have made it clear to everyone involved that I cannot certify to the status of the approved units if they are altered which means that the owner's planned improvements must wait until the condominium documents are recorded. For a number of reasons, the approval has already been unreasonably delayed, and since the RSA 41:14-a process is elective and irrelevant to the status of the property at this time, the declarants do not wish to apply for that relief at this time.

I trust that you will do whatever you can to facilitate the recording of the condominium plan and documents as soon as possible. If the recording fee has not been paid or you need anything else, please let me know directly.

Thank you,

Tocky

Anne W, Bialobrzeski NHLLS #752 NHDES Septic Designer #348 Stockton Services PO Box 1306 Hampton, NH 03843-1306 603 929-7404

CASASSA LAW OFFICE

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*MEMBER: NH AND ME BAR

WWW.CASASSALEGAL.COM

October 30, 2017

TOWN OF HAMPTON

100 Winnacunnet Road Hampton, NH 03842

RE: 109-111 Kings Highway, Hampton, NH Tax Map 197, Lot 18

I am writing to withdraw the RSA 41:14-a Process for Altering Deed Restrictions request filed in connection with the above property.

Sincerely,

Peter J. Saari

PJS/cmb

Enclosures

TOWN OF

310CT'17AM09:52

HAMPTON NH

Opening Site #1 Opening Site #2 Contr Street Notified - Sidewalk Yes Sidewalk Yes Contr No Original Surface Asphalt Length: ft. Concrete Cobblestone Width: ft. Conc. & Asph Brick & Cobble Thicknes in Brick Vicrass # DCP Props: Vicrass # of Lifts: Paving Method: NONE	Opening Site # 2 Opening Site Paying Contr Street Notified Sidewalk Lawn (Priv Prop) Original Surface Asphalt Length: ft. Concrete Cobblestone Width: ft. Conc. & Asph Brick & Cobble Thicknes in Brick Grass # DCP Drops: Gravel Paving Method: Paving Site # 3 Opening Site # 10 Opening Site	
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TOWN OF HAMPTON PLANNING BOARD

Town Planner's Memorandum

TO: Fran McMahon, Planning Board Chairman

FROM: Jason M. Bachand, AICP, Town Planner

SUBJECT: 17-023 109-111 King's Highway

Map: 197 Lot: 18

Applicant: Dally King's Realty Trust & Paul and Anne Anastasi

Owner of Record: Same

Condominium Conversion: Convert two existing buildings to condominium form of

ownership.

Waiver Request: Subdivision Regulations Section VE - Detailed Plans.

MEETING

DATE: June 7, 2017

The purpose of this application is to convert two residential units (within two existing residential buildings) located at 109-111 Kings Highway into condominium form of ownership.

The site is zoned RA and the existing buildings are located on a 0.09 acre (3,969 square foot) lot. One parking space per unit is required per Zoning Ordinance Section 6.3.10, and two stacked 9'x18' spaces have been identified on the plan for each unit (although stacked parking counts as one space the minimum requirement has been met.) Storage areas for trash are not identified on the plan for each unit and should be depicted. The plan also needs to more clearly delineate common areas and limited common areas.

This application simply involves a change in the form of ownership, and no changes to the site have been proposed by the applicant.

The property is served by public water and sewer.

The property is formerly leased land (although the submitted application indicates otherwise) and is subject to deed restrictions. However, these deed restrictions do not prohibit the proposed condominium conversion.

A waiver from the detailed plan requirement is requested, which is typical of condominium conversions.

Recommendation: I recommend approval of the condominium conversion with the following conditions:

- 1. The required parking spaces shall be designated on-site to their corresponding unit.
- 2. Suitable locations for the storage of trash and recyclables shall be shown on the condominium site plan prior to recording.
- Condominium documents are to be submitted in "Microsoft Word" from the applicant's
 counsel for review and approval by the Town Attorney at the applicant's expense prior to

recording by the Town Planning Office of the final plan(s) and of said condominium documents, in order to:

- Ensure that the provisions in the condominium documents and legal description and exhibits thereto 1) correspond with the details of the development as reflected on the plans(s) approved by the Planning Board whether contained in a) notes on the plan(s), b) the Board's minutes, or c) the terms of the Board's approval motion and decision letter and any separate documents incorporated therein.
- Ensure that the interested of the Town are protected.

Because the Legal Department does not receive the condominium documents for review until after the Board's approval occurs, the amount of the expense for review cannot be determined in advance. An escrow of \$500.00 needs to be established by the applicant with the Planning Office for the above review before the review is commenced; the review cost is to be charged to the declarant or developer at the then current hourly cost of the personnel of the Town's in house Legal Department (now \$95/hour for the Town Attorney), provided that the difference between the review cost so calculated and the \$500 escrow will be refunded if such cost is less than \$500, and will be billed to the extent that such charge exceeds \$500. The Legal Department shall notify the developer/applicant's counsel as soon as practicable after the \$500 escrow amount is exceeded to request that an additional amount be placed in escrow to cover the final bill. A copy of the final invoice shall be provided to the Planning Office by the Legal or Finance Departments. Payment of such final bill must be received by the Town before the recording by the Planning Office can occur of the final plan(s) and the condominium documents themselves. The Planning Office shall seek confirmation from the Legal Department that the final condominium documents and plan(s) are in fact in proper form.

4. The revised plan is subject to final review and approval by the Town Planner prior to recording.

Prior to final approval, the applicant shall submit six (6) copies of the final plans, recordable Mylar, and applicable recording fees.

CASASSA LAW OFFICE

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MEMBER: NH AND ME BAR

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WWW.CASASSALEGAL.COM

October 11, 2017

TOWN OF HAMPTON

H. ALFRED CASASSA

PETER J. SAARI ROBERT A. CASASSA

DANIEL R. HARTLEY

100 Winnacunnet Road Hampton, NH 03842

109-111 Kings Highway, Hampton, NH RE:

Tax Map 197, Lot 18

426-2096 Pursuant to the RSA 41:14-a Process for Altering Deed Restrictions, enclosed are ten (10) copies of the following:

- Original Deed from Town 1.
- Current Deed 2.
- Prior Lease 3.
- Plan . 4.
- 5. Copy of the Tax Card
- Aerial View of Property 6.

The two provisions of the deed from the town for which relief is requested are in paragraph 4, to allow the two dwellings that have been in existence since 1945 and 1955, respectively, and are in condominium form of ownership.

Also enclosed is a check payable to the Town in the amount of \$16.49.

If you have any questions or require anything further, please let me know.

PJS/cmb

Enclosures

Re: Anastasi, 111 Kings Highway, Hampton

1 message

Stockton Services <stockton752@gmail.com>

To: Alex Ross <alexross@comcast.net>, Paul Anastasi <panastasi10@gmail.com>

Tu

Ffl elev 10.6 (porch is 10.0-10.1)

HAG 8.0

LAG 7.3

crawlspace 7.3-7.5 ish

NGVD

Let me know if you need more

Tocky

Anne W, Bialobrzeski

NHLLS #752

NHDES Septic Designer #348

Stockton Services

PO Box 1306

Hampton, NH 03843-1306

603 929-7404

On Tue, Sep 26, 2017 at 7:49 AM, Alex Ross <alexross@comcast.net> wrote:

Tocky,

Hope you are well,... We are trying to figure out if steel beams can be installed under the existing 1st floor know the Town of Hampton has a 1 foot freeboard above flood elevation regulation, so we need to know here and how it relates to the first floor and first floor framing.

thanks

Alex Ross

Ross Engineering

909 Islington Street

Suite 6

Portsmouth, NH 03801

(603) 433-7560

alexross@comcast.net

CASASSA LAW OFFICES ATTORNEYS AT LAW

459 LAFA YETTE ROAD HAMPTON, NEW HAMPSHIRE 03842-2242 (603) 926-6336

H. ALFRED CASASSA
PETER J. SAARI
ROBERT A. CASASSA
FAYE R. GOLDBERG*
DANIEL R. HARTLEY*

TELEFAX (603) 926-4127 (603) 929-1632

*MEMBER: NH AND ME BAR

October 25, 2016

VIA EMAIL

Tocky Bailobrzeski tockybailo@gmail.com

RE: 109-111 Kings Highway, Hampton, NH

Tocky,

plan and Declaration after the work was completed. subject to the first owner being responsible for all of the costs and then do an amended to first put together a list of the improvements and have the other owner agree to them, improvements to the unit I do not see a good resolution. unit, would require an adjustment to the common interests. If the intent is not to limit the to whether improvements to a unit, whether entirely within the unit or part outside the any improvements solely to a unit would be at the expense of that unit or owner solely (including the cost of any new floor plans). Also, there should be some thought given as revised/amended site plan. What I would want to see in the declaration is a provision that because the other unit owner wouldn't be involved there wouldn't be any need for a know at this point how broadly they intend to define "unit") you could follow scenario #1 common area. If, however, all of the improvements are within the unit (and I do not I agree with you if whatever Anastasi is thinking of doing in any way involves The best you could do would be

I don't like scenario 2 -- too many variables.

agree as to where the convertible land would be and what could go on it. assume that the improvement guy intends to go beyond his unit and that both parties have to do another site plan and you wouldn't have to amend the declaration. This would specifying what the improvement guy could do within that space. That way you wouldn't One other possibility is to designate part of the common area as convertible land,

Sincerely,

S/Peter Peter J. Saari

CASASSA LAW OFFICES ATTORNEYS AT LAW

459 LAFAYETTE ROAD HAMPTON, NEW HAMPSHIRE 03842-2242 (603) 926-6336 TELEFAX (603) 926-4127

(603) 929-1632

H. ALFRED CASASSA PETER J. SAARI ROBERT A. CASASSA FAYE R. GOLDBERG* DANIEL R. HARTLEY* *MEMBER: NH AND ME BAR

December 5, 2016

VIA EMAIL

Tocky Bailobrzeski

tockybailo@gmail.com

RE: 109-111 Kings Highway, Hampton, NH

Tocky,

I think that because:

- 1. The buyer and seller have a close relationship and,
- 2. The Buyer isn't intending to change the footprint,

we should just go ahead and do a combined site/floor plan based on existing conditions. Mr. Anastasi may put one or two dormers on the second floor of what he's buying, but I can deal with that by setting up the units as land units, the boundaries of which are what you show on the site plan going down to the center of the earth and up to the limits of the atmosphere. Because it would only be land that is put into common ownership it would eliminate the need for separate floor plans. The pluses in doing it this way are:

- 1. it's a heck of a lot less expensive,
- each owner can do what he wants with his building subject only to whatever restrictions are in the declaration.

The downsides are:

1. the owners would have to agree ahead of time as to whether they want a say in what the other owner does on the outside of his building, and whether either of them wants height restrictions. They also should run the idea past whoever handles their casualty insurance to see how this would affect their premiums.

- 2. Because they would own to the outside of the buildings their individual policies would be more expensive but the question is whether the reduction in the master policy would offset that extra cost. They would have to run the idea past their insurance agent first.
- 3. They would have no right to object if either of them wanted to paint his building pink for example, unless they keep joint architectural control in the declaration.

Sincerely,

S/Peter

Peter J. Saari

PJS/cmb

cc: Paul Anastasi

panastasi10@gmail.com

